P.R. No. 4113/06 Presented by Shri Ghosh Adv. dated 21/8/06

CF-100 SINGLE BENCH

IN THE HIGH COURT OF JUDICATURE AT BILASPUR [CHHATTISGARH]

WRITE PETITION NO. 4113 OF 2006

PETITIONER — JogeshwarPrasad Sharma S/o Shri Premlal Sharma age above 46 years R/O Kusmi Th. Berla, Distt. Durg (C.G.)

VERSUS

RESPONDENTS 1. State of Chhattisgarh through the Secretary, Rajasva Vibhag Mantralya, Government of Chhattisgarh, D.K.S. Bhawan, **Raipur** (CG).

2. Commissioner Bhoo Abhilekh, Chhattisgarh, **Raipur**, Distt. Raipur (C.G.).

3. Collector Bhoo Abhilekh Durg, Distt. Durg (C.G.)

RECEIVED COPY 21/8/06 CLERK to A.G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF CERTIORARI, MANDAMUS, PROHIBITION AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS:

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..W.P..No..413... सन् 2006

(23)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

10-08-2006

Heard Shri Dinesh Tiwari, counsel for the petitioner and Shri Satish Gupta, Deputy Govt. Advocate for the State/ respondents, on advance copy.

By the instant petition, the petitioner has challenged the order dated 30-6-2006 whereby the petitioner has been transferred from P.H. No.28, Tehsil Berla, District Durg to P.H. 8 Tehsil Patan District Durg.

The main grievance of the petitioner is that the petitioner's children are studying in Class 12th, 10th and 8th respectively. The petitioner has never requested for his transfer and he has wrongly been transferred showing that he has been transferred at his own expense.

Learned counsel for the petitioner submitted that in the circumstances, the petitioner may be allowed to make a representation to the respondent No.1 and he be directed to decide the same, to which learned counsel for the respondents has no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion on the merit of the case, the prayer made by learned counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation along with a copy of this petition to respondent No.1 within a period of 10 days from today and in turn, respondent No.1 shall decide the representation within a period of 30 days from the date of receipt of the representation, after considering all the points raised by the petitioner, in accordance with law.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P. No.3203/2006, I.A. Nos.7650/2006 & 7651/2006 also stand disposed of.

C.C. as per Rules.

Sd/-
L.C. Bhadoo
Judge

Barve

P.T.O.